

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Fourth Judicial District Court, County of Missoula

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-10-231
-vs-)	
)	DECISION
STANLEY JON HAWLEY,)	
)	
Defendant.)	

On October 26, 2017, the District Court revoked the Defendant's prior sentence for violations of probation. The Court sentenced the Defendant to the Department of Corrections for three (3) years for the offense of Count I: Partner or Family Member Assault – 3rd or subsequent offense. The terms and conditions for the Judgment filed on Oct. 15, 2013 remained the same. The Defendant was granted credit for time served in the amount of 78 days.

On February 23, 2018, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). Defendant appeared by videoconferencing from the Missoula County jail and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 23rd day of February, 2018.

DATED this 9th day of March, 2018.

SENTENCE REVIEW DIVISION

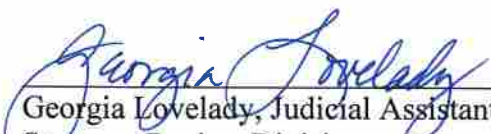

Hon. Kathy Seeley, Chairperson


Hon. Brenda Gilbert, Member


Hon. Dan Wilson, Member

Copies mailed this 13th day
of March, 2018, to:

Clerk of District Court (Original)
Stanley Jon Hawley #33365, Defendant (2)
Hon. John Larson
Brent Getty, Defense Counsel
Jennifer S. Clark, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division